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PART V

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under Rule 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA

LEGISLATIVE ASSEMBLY DEPARTMENT

The following Bill was introduced in the Legislative Assembly on the 11th November, 1946:—

L. A. BILL No. 60 OF 1946

A Bill further to amend the Indian Tea Control Act, 1938

WHEREAS it is expedient further to amend the VIII of 1938 Indian Tea Control Act, 1938, for the purposes herein-after appearing;

It is hereby enacted as follows:—

1. This Act may ~~be~~ called the Indian Tea Control Short title. (Amendment) Act, 1946.

2. In section 17 of the Indian Tea Control Act, 1938—
 (a) in sub-section (2A), for the words “he may, within one month from the date of the order whereby he receives such right, apply to the Committee for a special export licence covering that further quantity, and the Committee shall,” the following shall be substituted, namely:—

Amendment of section 17, Act VIII of 1938.

“he may apply to the Committee for a special export licence covering that further quantity, and the Committee, unless prevented by the operation of any other provision of this Act, shall,”;

(b) in sub-section (2B) the words “within a period of six months from the date on which it was granted” shall be omitted;

(c) in sub-section (3), for the word “March” the word “May” shall be substituted, and to the said sub-section the following proviso shall be added, namely:—

“Provided that a special export licence issued before the 1st day of April, 1947 shall be valid up to the 31st day of March, 1947.”

STATEMENT OF OBJECTS AND REASONS

At the beginning of each financial year, special export licences under the Indian Tea Control Act, 1938, are issued to cover the shipment of the balance of quotas for tea outstanding for export at the end of the previous financial year. These licences were originally valid only upto the 31st day of May of the financial year in which they were issued, but owing to the shipping and freight difficulties during the war, the Act was amended in 1943 so as to extend their period of validity from 2 to 12 months. Now that conditions have returned to normal, it is considered desirable to revert to the period of validity originally fixed for these licences, and the Bill is designed to give effect to this object, as also to make necessary consequential amendments.

NEW DELHI :

ISMAIL I. CHUNDRIGAR.

The 7th November, 1946.

The following Bill was introduced in the Legislative Assembly on the 11th November, 1946:—

L. A. BILL No. 61 of 1946

A Bill further to amend the Panth Piploda Laws Regulation, 1929

WHEREAS it is expedient further to amend the Panth Piploda Laws Regulation, 1929, for the purpose hereinafter appearing ;

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Panth Piploda Law (Amendment) Act, 1946.

Amendment of Schedule to Regn. I of 1929.

2. In the Schedule to the Panth Piploda Laws Regulation, 1929, after the entry relating to the Whipping Act, 1909, the following entry shall be inserted, I of 1929 namely:—

“ 1912 II The Co-operative Societies Act, 1912.

STATEMENT OF OBJECTS AND REASONS

The object of the Bill is to amend the Panth Piploda Laws Regulation, 1929, so as to extend the Co-operative Societies Act, 1912, to that Province. It will then be possible to grant loans for seed and other agricultural purposes and thereby help to increase the food supply.

P. M. KHAREGAT.

NEW DELHI ;

The 31st October, 1946.

The following *Bill was introduced in the Legislative Assembly on the 11th November, 1946:—

L. A. BILL No. 62 OF 1946

A Bill further to amend the Indian Navy (Discipline) Act, 1934

WHEREAS it is expedient further to amend the
XXXIV of Indian Navy (Discipline) Act, 1934, for the purpose
1934 caring; &

It is hereby enacted as follows:—

1. This Act may be called the Indian Navy (Discipline) Act, 1946. Short title.

2. For section 90 of the Naval Discipline Act as set forth in the First Schedule to the Indian Navy (Discipline) Act, 1934, the following section shall be substituted, namely:— Amendment of First Schedule, Act XXXIV of 1934.

“90. (1) If any person who would not otherwise be subject to this Act enters into an engagement with the Central Government to serve His Majesty—

(a) in a particular ship, or

(b) in such particular ship or in such ships as the Officer Commanding the Indian Navy or any officer empowered in this behalf by the Officer Commanding the Indian Navy, may from time to time determine, and

Provision respecting discipline of persons under engagement to serve His Majesty.

and agrees to become subject to this Act upon entering into the engagement, that person shall, so long as the engagement remains in force, and notwithstanding that for the time being he may not be serving in any ship, be subject to this Act, and the provisions of this Act shall apply in relation to that person, as if, while subject to this Act, he belonged to His Majesty's Navy and were borne on the books of one of His Majesty's ships in commission.

(2) The Central Government may by order direct that, subject to such exceptions as may in particular cases be made by or on behalf of the Officer Commanding the Indian Navy, persons of any such class as may be specified in the order shall, while subject to this Act by virtue of this section, be deemed to be officers or petty officers, as the case may be, for the purposes of this Act or of such provisions of this Act as may be so specified; and any such order may be varied or revoked by a subsequent order.”

3. Clause (iii) of sub-section (1) of section 2 of the Emergency Provisions (Continuance) Ordinance 1946, shall be omitted. Amendment of section 2, O.d. XX of 1946.

*The Governor General has been pleased to give the previous sanction required by clauses (b) and (c) of section 108 (1), read with section 313 (4) (a) of the Government of India Act, 1935, to the introduction in the Legislative Assembly of this Bill.

STATEMENT OF OBJECTS AND REASONS

This Bill is intended to amend section 90 of the Naval Discipline Act as set forth in the First Schedule to the Indian Navy (Discipline) Act, 1934. As framed at present, the section applies only in time of war. An emergency might arise before the outbreak of hostilities in which the Government of India wished to avail themselves of the services of vessels and take them up as though the country were at war. Another provision of section 90 refers to ship's companies, crews and officers of those merchant vessels which are taken up by the Government and applies the Navy Discipline Act to them as ship's companies. It has been held that if the men of one of these vessels were transferred to another or sent ashore for training purposes or to hospital, the Naval Discipline Act would cease to apply to them. This would be an unsatisfactory position. Finally, difficulties arise as to the exact status of men when they transfer from their former occupation to the naval service. This is overcome by the proposed amendment which provides that no man come under the operation of the Act unless he voluntarily enters into an agreement with the Central Government.

2. Section 90 was amended in the above sense by clause (d) of sub-section (5) of section 6 of the Defence of India Act, which expired on the 30th September, 1946. The amendment has been continued in force for another six months by section 2 (1) (iii) of the Emergency Provisions (Continuance) Ordinance, 1946. It is however necessary to make the amendment permanent, as has been done to the Naval Discipline Act by an Act of Parliament.

G. S. BHALJA,

NEW DELHI;

The 2nd November, 1946.

M. N. KAUL,

Secy. to the Govt. of India.